

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,) 4:09 CR 360 CDP
)
Plaintiff,)
)
vs.) St. Louis, Missouri
)
JAMES VERNON JOSEPH, Jr,) May 19, 2009
)
Defendant.)

TRANSCRIPT OF INITIAL APPEARANCE
BEFORE MAGISTRATE THOMAS C. MUMMERT

APPEARANCES:

For the Government: Mr. Howard Marcus
Assistant US Attorney
111 South 10th Street
St. Louis, Missouri 63102

Transcribed by:

Lynne Shrum,
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Eagleton Courthouse
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1 THE COURT: All right.

2 Mr. Joseph, yeah.

3 Mr. Joseph, your attorney wanted to be here.

4 Who did you hire?

5 MR. JOSEPH: John Bouhasin.

6 THE COURT: John Bouhasin, yeah, he's not here and
7 I'm not so sure he's coming, so I'm not sure he knows what
8 time -- do you know anything about this, Mel?

9 (Inaudible.)

10 THE COURT: Yeah, where's his office?

11 MR. JOSEPH: He has an office here in St. Louis.

12 THE COURT: St. Louis metropolitan area.

13 Well, this is an initial appearance. You're really
14 not -- you don't have to have a lawyer for this. We're going
15 to bring you up and talk to you. This is something -- this
16 is not a hearing that requires an attorney, one of the few.

17 It's -- please be sworn in, Mr. Joseph.

18 (Mr. Joseph sworn to tell the truth.)

19 THE COURT: Mr. Joseph, you want to tell me your
20 name.

21 MR. JOSEPH: James Joseph.

22 THE COURT: Okay. Thank you.

23 Mr. Joseph, and I'm just stating a fact. The --
24 Tiffany Corley, the U.S. pretrial service officer, attempted
25 to interview you and you chose not to and some people do on

1 attorney's advice. I'm not knocking you, I'm just making an
2 information for the record, so I don't know that much about
3 you which is fine, though eventually have that next time we
4 see each other but I need to let you know that you are here
5 charged with basically false identification -- stealing
6 peoples' identification.

7 You understand that?

8 MR. JOSEPH: Uh-huh.

9 THE COURT: And you need to say yes or no.

10 MR. JOSEPH: Yes.

11 THE COURT: And it's okay. The recorder doesn't
12 pick that up.

13 I'll give you a copy of the charge before you get out
14 of here and you can share that with your attorney when he
15 pops in to see you.

16 You have the right to remain silent. Anything you say
17 can and will be used against you in the prosecution of this
18 case.

19 You have a right to a lawyer. If you can't afford one,
20 I will appoint an attorney to represent, and looks like
21 you've hired a lawyer.

22 MR. JOSEPH: Yes.

23 THE COURT: And it is -- you told me already and I
24 forgotten.

25 John -- I got it -- oh, John Bouhasin, great. All

1 right.

2 The prosecutor in this case filed what's called a
3 detention motion. That means they don't want you out on bond
4 at all while this case is going on.

5 As soon as the prosecutor files one of those motions,
6 you're entitled to a hearing on that to decide, then I can
7 decide whether or not I want you on bond or locked up.

8 I've scheduled a hearing on that matter for the 21st
9 which is Thursday morning at nine o'clock. That will be your
10 next court date.

11 Additionally, since you are charged with a criminal
12 complaint, you are entitled to a probable cause hearing
13 simply -- it's not a guilt finding, it's just to decide
14 whether or not the case moves on or not.

15 MR. JOSEPH: Okay.

16 THE COURT: So you got both of those hearings
17 scheduled for the 21st at nine o'clock.

18 If your lawyer contacts us again, make sure he knows.
19 When you talk to him, you need to let him know when the court
20 date is because if he doesn't show up for this one we can't
21 do it without a lawyer.

22 MR. JOSEPH: Yes.

23 THE COURT: So the -- this one we can take care of
24 but the next we can't.

25 Also, I want to to alert you -- and I don't want you

1 saying anything because you don't have a lawyer with you but
2 there's some confusion about your actual identity. You have
3 an a/k/a under your name of Leland Reed, so you need to
4 address that.

5 We need to -- eventually need to find out who you are
6 and who Mr. Leland Reed is but that's another issue that you
7 need to talk to your lawyer about. All right?

8 MR. JOSEPH: Okay.

9 THE COURT: All right. Here's a copy of the
10 complaint, and we'll see back here on Thursday morning.
11 Hopefully your lawyer will be here with you and we'll go from
12 there.

13 All right?

14 MR. JOSEPH: Thank you.

15 THE COURT: All right. Good luck, sir.

16 (Recess.)

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CERTIFICATE

I, Lynne Shrum, do hereby certify I have duly transcribed the above proceedings which have been electronically recorded to the best of my ability.

I further certify the foregoing is a true and accurate transcript of the proceedings as heard and understood.

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DATE

/s/ Lynne Shrum